

EDMUND G. BROWN JR.  
Attorney General of the State of California  
DANE R. GILLETTE  
Chief Assistant Attorney General  
GERALD A. ENGLER  
Senior Assistant Attorney General  
PEGGY S. RUFFRA  
Supervising Deputy Attorney General  
MICHELE J. SWANSON, State Bar No. 191193  
Deputy Attorney General  
455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
Telephone: (415) 703-5703  
Fax: (415) 703-1234  
Email: Michele.Swanson@doj.ca.gov

Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**MALIK ALI MUHAMMAD,**

Petitioner,

**v.**

**DERRAL ADAMS, Warden,**

Respondent.

C 07-3627 MMC (PR)

**DECLARATION OF  
COUNSEL IN SUPPORT OF  
APPLICATION FOR  
EXTENSION OF TIME TO  
FILE RESPONSE**

I, MICHELE J. SWANSON, declare under penalty of perjury as follows:

I am a Deputy Attorney General for the State of California and am assigned to represent respondent in this case. Respondent's answer or other responsive pleading is due January 22, 2008, pursuant to this Court's October 23, 2007 order to show cause. I am unable to meet this deadline, and request an extension of time to file a response to the petition for the following reasons.

I was not the attorney who handled this case on direct appeal. Since having this case assigned to me, I have been working on cases with chronological precedence, and in the past 30

1 days I have filed motions to dismiss in *Givens v. Warden* (C 07-1448 MJJ (PR)), *McCarthy v.*  
2 *Clay* (C 07-3933 PJH (PR)), *Kahute v. Contra Costa Superior Court* (C 07-0142 RMW (PR)),  
3 *Lopez v. Lamarque* (C 04-01877 JW (PR)), and *Pacheco v. Horel* ( 06-06540 JW (PR)), and a  
4 reply in *Givens v. Warden* (C 07-1448 MJJ (PR)). I have also recently completed an answer in  
5 *Walker v. Scribner* (C 07-4199 MJJ (PR)). The orders to show cause in all of the above cases  
6 were issued before the order to show cause in this case. For these reasons, I need additional time  
7 to complete the response in this case.

8 I have not attempted to contact petitioner about this extension of time because he is an  
9 incarcerated state prisoner who is representing himself.

10 Accordingly, I request that the Court grant respondent an extension of 60 days, to and  
11 including March 24, 2008, in which to file a response to the petition.

12 I declare under penalty of perjury that the foregoing is true and correct.

13 Executed at San Francisco, California, on January 22, 2008.

14  
15 /s/ Michele J. Swanson  
16 MICHELE J. SWANSON  
17 Deputy Attorney General  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28